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Statement of Rep. Christopher Shays October 31, 2005

Good morning. It's good to be back in San Mateo with my good friend and colleague Tom Lantos. The persistence and perspicacity he brings to national and international issues inspire bipartisan respect, and it is a privilege to join him in today's important discussion. Ours is an oversight partnership dating back to my first days as a Member of Congress in 1987. I've learned a lot since then, much of it from Tom.

In August of last year, this Subcommittee met here and learned first-hand about security gaps and potential vulnerabilities in the protection of explosive material held by state and local authorities. To get a clearer picture of the depth and breadth of the problem, we asked the Government Accountability Office (GAO) to visit some explosive storage facilities and assess the rigor and consistency of security measures there.

Why? Because it is beyond debate storage magazines containing C4 plastic explosives and other highly volatile material are attractive targets for terrorists and criminals looking for a big bang on the public buck. An unknown number of publicly maintained storage sites, likely containing hundreds of tons of explosives, constitute a potentially serious homeland security challenge, a classic disaster waiting to happen. If not critical infrastructure, explosive storage sites certainly represent combustible temptations over which someone should have adequate visibility and accountability.

Regretfully, the GAO report released today describes an uncertain, inconsistent, at times inadequate, system of regulation over publicly managed explosive storage facilities. The federal government, through the Department of Justice's Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), licenses and inspects private manufacturers and handlers of explosives but has almost no authority over state and local government users. Their compliance with security standards is voluntary. ATF does require public facilities to report thefts of explosive materials, but even that requirement is not uniformly understood, adhered to, or enforced.

The GAO report also pierces the assumption that state and local regulation of explosives magazines would fill any vacuum left by federal law. Most of the 18 public storage facilities visited by GAO were not required to be licensed or inspected by state or local regulators. But, as we will hear in testimony today, some states and localities have taken steps to secure explosive stockpiles, following best practices in many respects more demanding than the voluntary ATF standards.

So we look to our witnesses this morning to help us understand what is being done to secure government-held explosives, and what more should be done to define and mitigate the threat posed by these facilities. We appreciate the time, dedication and expertise of all our witnesses and we look forward to their testimony.